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EXAMINER	
PRENDERGAST, ROBERTA D	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/713,319	RAO, SUMITA	
	Examiner	**Art Unit**	
	ROBERTA PRENDERGAST	2628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on 17 June 2008.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-18,24,25 and 28-30 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-18, 24-25 and 28-30 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 6/17/2008 has been entered.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Carmel et al. U.S. Patent No. 5841432 in view of Berend et al. U.S. Patent No. 5692117 and Crosby U.S. Patent No. 5113493.

Referring to claim 1, Carmel et al. teaches a method for displaying an animation, comprising

receiving an instruction to display an animation, the animation comprising a plurality of images ordered for sequential display (Figs. 1, 2, and 8; column 2, lines 16-

31, i.e. an animation consisting of a plurality of image files is created and stored and then the end user requests an animation file);

retrieving an animation file responsive to the instruction, the animation file providing an ordering of the images (Figs. 4, 7, and 9, i.e. images in each frame are ordered by layers and frames are sequentially ordered from start to finish);

determining a first set of the images, which in display order, aggregate to a size up to a maximum size (Figs. 4 and 9; column 4, lines 14-67; column 5, lines 8-23 and 37-57, i.e. each frame is a segment file comprised of a set of images and comprises a final complete image whose size is less than the maximum size and the maximum size of each segment is the total number of images and the maximum size of the animation file is the total number of frames);

a first set of images having a final image, determining a second set of the images, which in display order, aggregate to a size up to a maximum size, an image in the second set being in sequence behind the final image, generating a first segment file indicative of the first set of images, generating a second segment file indicative of the second set of images (Figs. 4 and 9; column 4, lines 14-56, i.e. each frame is a segment file comprised of a set of images and comprises a final complete image whose size is less than the maximum size and the maximum size of each segment is the total number of images and the maximum size of the animation file is the total number of frames);

loading the first set of images into a memory readable by an animation engine according to the first segment file, displaying sequentially, using the image order in the

animation file, each image in the first set as a first animation segment, and displaying sequentially, using the image order in the animation file, each image in the second set as a second animation segment (Abstract; Figs. 1, 2, and 4-9; column 2, lines 16-50; column 3, lines 21-51; column 4, lines 1-8, 16-34 and 45-66; column 6, lines 54-65; columns 6-7, lines 62-4; column 7, lines 15-22, i.e. each of the frames in the animation file are generated, sequentially arranged, transmitted and displayed sequentially at the frame rate designated in the animation file and it is understood that storing an animation file in a memory for later use during the display of the animation indicates that the memory is readable by an animation engine).

Carmel et al. does not specifically teach predetermining a maximum memory size for each segment file, the maximum memory size corresponding to a maximum amount of memory usable to load images for each segment file; determining a first set of images, which aggregate to a size up to the predetermined maximum memory size, the first set of images having a final image; determining a second set of the images, which aggregate to a size up to the predetermined maximum memory size, the images in the second set being in sequence behind the final image; associating a callback identifier with the second segment file; providing the callback identifier along with the first segment file; retrieving the callback identifier from the first segment file; and using the callback identifier to load the second set of images into the memory according to the second segment file.

Berend et al. teaches a first animation sequence consisting of a first set of frames and a second sequence having a second set of frames; associating a callback

identifier with the second segment/sequence file; and providing the callback identifier along with the first segment/sequence file (Abstract; Figs. 12, 13a-e, 16, 24-26, 28a-d, and 29a-d; columns 14-15, lines 46-8; column 16, lines 46-60; column 17, lines 5-14 and 34-56; column 22, lines 24-51, i.e. each key frame sequence file is stored as a linked list, as each new key frame is added the address in memory of the new key frame is inserted into the “next key frame” pointer of the previous key frame or key frames in the timeline, if the new key frame is being added between two key frames then the address of the succeeding key frame is inserted into the “next key frame” pointer of the new key frame and the addresses of both the preceding key frame and the new key frame are inserted into the “previous key frame” pointers of the new key frame and the succeeding key frame, the sequence of key frames and interpolated frames are stored as segments or sub-segments which are also stored in a linked list);

retrieving the callback identifier from the first segment file; and using the callback identifier to load the second set of images into the memory according to the second segment file (Figs. 4, 11, 16-18 and 24-27a-d; column 16, lines 16-30 and 46-60; column 19, lines 1-8 and14-36; column 30, lines 33-63 i.e. the callback identifier is a link comprising a pointer from the previous key frame sequence file to the next key frame sequence file to be loaded from memory and displayed sequentially in the animation processor/engine).

Crosby teaches predetermining a maximum memory size for each segment file, the maximum memory size corresponding to a maximum amount of memory usable to load images for each segment file; (column 3, lines 56-64; column 6, lines 28-31;

column 8, lines 13-43; column 9, lines 31-42; column 10, lines 64-68; column 11, lines 4-16, i.e. reading in large groups of animation file records, wherein still images are read into a current image array and pixel-set records of the current image array are compared to the previous pixel-set records thus indicating that the animation file records include images, according to file size and computer memory size such that the file size is kept within the limit of what may be entirely read into memory is understood to be predetermining a maximum memory size corresponding to a maximum amount of memory usable to load images for each segment file as claimed); determining a first set of images, which aggregate to a size up to the predetermined maximum memory size, the first set of images having a final image; and determining a second set of the images, which aggregate to a size up to the predetermined maximum memory size, the images in the second set being in sequence behind the final image (column 8, lines 13-20 and 33-39, i.e. setting the file size to the limit of what may be entirely read into memory such that all input may be accomplished prior to the display of the animation in order to eliminate or reduce undesirable pauses and jerks caused by reading the records (e.g. accessing the files) intermittently simultaneously with the animated display indicates that the file segments are broken up/segmented into multiple sets/segments of images which aggregate to a size up to a predetermined maximum memory size thus indicating, for the case where the number of records/images is larger than the computer memory size, that a first and second set of images is being determined as claimed).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method of Carmel et al. to include the

teachings of Berend et al. and Crosby wherein callback instructions are used to link the segment files thereby enabling individual frames, sub-sequences or sequences to be moved in time by breaking and replacing links on either side of the frame, sequence or sub-sequence (Berend et al.: column 18, lines 21-26) and further modifying Carmel et al. to include setting the size of the animation segment files to a predetermined maximum size wherein the file size is kept within the limit of what may be entirely read into memory thus eliminating undesirable pauses by reducing file access time and further ensuring that the animation files fit within the available memory space when memory space is limited (Crosby: column 8, lines 34-43).

Referring to claim 2, the rationale for claim 1 is incorporated herein, Carmel et al., as modified above, teaches the method for displaying an animation according to claim 1, wherein each of the images are stored as individual graphics files (column 6, lines 50-65, i.e. each image is stored as an individual thumbnail graphics file and each frame is stored as an individual frame file comprised of layers of image graphics files).

Referring to claim 3, the rationale for claim 1 is incorporated herein, Carmel et al., as modified above, teaches the method for displaying an animation according to claim 1, wherein the animation file further comprises information indicative of the size of individual ones of the images, and the size information is used in determining the first set of images (column 4, lines 31-45 and 62-67; column 5, lines 29-44, i.e. each animation file includes information comprising the total number of images and total number of frames, each frame file includes the number of layers, each layer includes an image id, and each image file includes the number of objects).

Referring to claim 4, the rationale for claim 1 is incorporated herein, Carmel et al., as modified above, teaches the method for displaying an animation according to claim 1, wherein the maximum size is set to further correspond to a number of images (column 4, lines 24-45; column 5, lines 36-37, i.e. each frame segment contains a maximum size of up to five images/layers containing a maximum of up to 255 objects per image and the size is set to a number of frames).

Referring to claim 5, the rationale for claim 1 is incorporated herein, Carmel et al., as modified above, teaches the method for displaying an animation according to claim 1, but does not specifically teach wherein the maximum size is set at a predetermined memory size for an embedded system.

Crosby teaches wherein the maximum size is set at a predetermined memory size for an embedded system (column 3, lines 56-64; column 6, lines 28-31; column 8, lines 13-43; column 9, lines 31-42; column 10, lines 64-68; column 11, lines 4-16, i.e. it is understood that reading in large groups of animation file records according to file size and computer memory size such that the file size is kept within the limit of what may be entirely read into memory would necessitate predetermining the size of the available memory in an embedded system and that reading in large groups of animation file records according to file size and computer memory size such that the file size is kept within the limit of what may be entirely read into main memory wherein the main memory is part of an embedded system).

The rationale for combining Carmel et al. with the teachings of Berend et al. and Crosby as found in the motivation statement of claim 1 is incorporated herein.

Referring to claim 6, the rationale for claim 1 is incorporated herein, Carmel et al., as modified above, teaches the method for displaying an animation according to claim 1, but does not teach wherein the maximum size is generated responsive to an inquiry regarding available memory.

Crosby teaches wherein the maximum size is generated responsive to an inquiry regarding available memory (column 8, lines 13-43, i.e. it is understood that reading in large groups of animation file records according to file size and computer memory size such that the file size is kept within the limit of what may be entirely read into memory would necessitate an inquiry regarding available memory).

The rationale for combining Carmel et al. with the teachings of Berend et al. and Crosby as found in the motivation statement of claim 1 is incorporated herein.

Referring to claim 7, the rationale for claim 1 is incorporated herein, Carmel et al., as modified above, teaches the method for displaying an animation according to claim 1, wherein the first segment file provides a file identifier for each of the images in the first set (Fig. 4(elements 71-75); column 5, lines 8-35, i.e. each frame segment contains the number of layers 1-n, each layer contains a layer id 1-n, each layer also contains an image id corresponding to a particular image that is identified by the image id number).

Referring to claim 8, the rationale for claim 1 is incorporated herein, Carmel et al., as modified above, teaches the method for displaying an animation according to claim 1 wherein the associating step includes using the callback identifier as a name for the second segment file (Fig. 4(element 75); column 5, lines 8-35, i.e. each image is

identified by the image id number and thus the image id is understood to be the name of the image).

Referring to claim 9, the rationale for claim 1 is incorporated herein, Carmel et al., as modified above, teaches the method for displaying an animation according to claim 1 wherein the associating step includes placing the callback identifier as data in the second segment file (Fig. 4(element 75); column 5, lines 8-35, i.e. each image is identified by the image id number, which is stored in the image segment file, and thus the image id is understood to be the callback identifier of the image).

Referring to claim 10, the rationale for claim 1 is incorporated herein, Carmel et al., as modified above, teaches the method for displaying an animation according to claim 1 wherein providing the callback identifier includes using the callback identifier as part of a name for the first segment file.

At the time the invention was made, it would have been an obvious matter to a person of ordinary skill in the art to include using the callback identifier as part of a name for the first segment file in the invention of Carmel because Applicant has not disclosed that including using the callback identifier as part of a name for the first segment file provides an advantage, is used for a particular purpose, or solves a stated problem. One of ordinary skill in the art, furthermore, would have expected Carmel's invention, and applicant's invention, to perform equally well with either the segment file naming convention taught by Carmel or the claimed segment file naming convention because both segment file naming conventions would perform the same function of naming the sequential animation segment files equally well.

Therefore, it would have been prima facie obvious to modify Carmel to obtain the invention as specified in claim 10 because such a modification would have been considered a mere design consideration which fails to patentably distinguish over the prior art of Carmel.

Referring to claim 11, the rationale for claim 1 is incorporated herein, Carmel et al., as modified above, teaches the method for displaying an animation according to claim 1 wherein providing the callback identifier includes placing the callback identifier as data in the first segment file (Carmel et al.: Fig. 4(element 71-75); column 5, lines 8-35, i.e. each layer segment contains the image id of a particular image file; Berend et al.: column 16, lines 46-60; column 17, lines 15-29; column 18, lines 21-26, i.e. animation sequences/segments are stored in linked lists indicating that the first sequence/segment file has a pointer/callback identifier that points to the first frame in the second sequence/segment which is understood to be the next frame).

Referring to claim 12, the rationale for claim 1 is incorporated herein, Carmel et al., as modified above, teaches the method for displaying an animation according to claim 1 wherein the second set of images are being loaded into the animation processor while the images in the first set are being displayed (Abstract; column 5, lines 3-7).

Referring to claim 13, the rationale for claim 1 is incorporated herein, Carmel et al., as modified above, teaches all of the elements of claim 13 that are similar in scope to claim 1 and further teaches a method of generating animation segment files, comprising receiving an animation file that identifies and orders a set of images (Figs. 4,

7, and 9, i.e. images in each frame are ordered by layers and frames are sequentially ordered from start to finish);

dividing the set of images into sequential subsets of images, wherein each subset of images is associated with an animation segment (Figs. 4 and 9; column 4, lines 14-56; column 8, lines 16-23 and 33-39, i.e. each frame is a segment file comprised of a set of images and comprises a final complete image whose size is less than the maximum size and the maximum size of each segment is the total number of images and the maximum size of the animation file is the total number of frames), associating a subset identifier with each respective subset(Fig. 4(elements 73-75); column 4, lines 62-67; column 5, lines 1-36, i.e. each frame has a frame id, number of layers, and a layer id and each image has an image id, each layer id is associated with an image id used to identify a particular image), but does not specifically teach associating an action instruction with each respective segment, and wherein the action instruction associated with one subset identifies another one of the subsets.

Berend et al. teaches associating an action instruction with each respective segment, and wherein the action instruction associated with one subset identifies another one of the subsets (Figs. 4, 11, 16-18 and 24-27a-d; column 16, lines 16-30 and 46-60; column 19, lines 1-8 and14-36; column 30, lines 33-63 i.e. the action instruction is a link comprising a pointer from the previous key frame file to the next key frame file to be loaded and displayed in the animation processor).

The rationale for combining Carmel et al. with the teachings of Berend et al. and Crosby as found in the motivation statement of claim 1 is incorporated herein.

Referring to claim 14, claim 14 recites the limitations of claims 4 and 13 and therefore the rationale for the rejection of claims 4 and 13 are incorporated herein.

Referring to claim 15, claim 15 recites the limitations of claims 5 and 13 and therefore the rationale for the rejection of claims 5 and 13 are incorporated herein.

Referring to claim 16, the rationale for claim 13 is incorporated herein, Carmel et al., as modified above, teaches the method of generating animation segment files according to claim 13, but does not specifically teach wherein an action instruction is used to identify the last subset.

Berend et al. teaches wherein an action instruction is used to identify the last subset (Figs. 4, 11, 16-18 and 24-27a-d; column 16, lines 16-30 and 46-60; column 19, lines 1-8 and14-36; column 30, lines 33-63 i.e. the action instruction is a link comprising a pointer from the previous key frame file to the next key frame file to be loaded and displayed in the animation processor, if there are no more frames the pointer will be null indicating that the current subset is the last subset).

The rationale for combining Carmel et al. with the teachings of Berend et al. and Crosby as found in the motivation statement of claim 1 is incorporated herein.

Referring to claim 17, Carmel et al., as modified above, teaches all of the elements of claim 17 that is similar in scope to claims 1 and 13 but does not specifically teach determining the first and second segment files with a batch processor; retrieving the segment files with an animation engine; and releasing memory holding at least one of the images in the first subset of images.

Crosby teaches wherein file size is kept within the limit of what may be entirely read into main memory such that files having a large number of records is split into "super records" depending on the file size and computer memory size (column 8, lines 13-46; column 13, lines 43-51, i.e. dividing an animation file containing a large number of records such that each file segment fits available memory while still being large enough to reduce the pauses and jerks in the animated display caused by reading the records intermittently simultaneously with the animated display indicates that batch processing is being performed and further indicates that the memory is being released in order to allow the next file segment to be read into main memory, also it is understood that the loading/retrieving and displaying of the animation files is being performed via an animation engine, see figures 1 and 3).

The rationale for combining Carmel et al. with the teachings of Berend et al. and Crosby as found in the motivation statement of claim 1 is incorporated herein.

Referring to claim 18, claim 18 recites the limitations of claims 12 and 17 and therefore the rationale for the rejection of claims 12 and 17 are incorporated herein.

Claims 24-25 and 28-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Carmel et al. in view of Berend et al. and Crosby as applied to claim 1 above, and further in view of Obrador U.S. Patent No. 2003/0191776.

Referring to claim 24, Carmel et al., as modified above, teaches all of the elements of claim 24 that are similar in scope to claim 1 but does not specifically teach receiving a media file providing a first one of the media objects and a second one of the

media objects, the second media object being an animation file; associating a callback identifier with the second media object; providing the callback identifier along with the first media object; loading the first media object into a memory usable for presenting the first media object; using the callback identifier to load the second media object into the memory that is usable for presenting the second media object where the animation file has at least a first and second segment associate with it, each segment comprising at least one image, each image being a displayable image.

Berend et al. teaches associating a callback identifier with the second media object, the second media object being an animation sequence file; providing the callback identifier along with the first media object, where the animation file has at least a first and second segment associate with it, each segment comprising at least one image, each image being a displayable image (Abstract; Figs. 12, 13a-e, 16, 24-26, 28a-d, and 29a-d; columns 14-15, lines 46-8; column 16, lines 46-60; column 17, lines 5-14 and 34-56; column 22, lines 24-51, i.e. a sequence of key frames/displayable images and interpolated frames are stored as animation segments or sub-segments, each segment comprising at least one key frame/displayable image, that are stored in a linked list with the address in memory of the first key frame of the next animation segment inserted into the “next key frame” pointer of the last key frame of the previous animation segment and the address in memory of the last key frame of the previous animation segment inserted into the “previous key frame” pointer of the first key frame of the next animation segment), retrieving the callback identifier from the first segment file, using the callback identifier to load the second media object/animation segment file

into the memory according to the second media object/animation segment file (Figs. 4, 11, 16-18 and 24-27a-d; column 16, lines 16-30 and 46-60; column 19, lines 1-8 and14-36; column 30, lines 33-63 i.e. the callback identifier is a link comprising a pointer from the previous animation sequence file to the next animation sequence file to be loaded from memory and displayed sequentially by the animation processor).

Obrador teaches wherein the first and second media objects are multimedia objects including sound and animation objects that are linked (page 2, paragraph [0024]; pages 2-3, paragraph [0027]; page 3, paragraph [0032]; page 4, paragraph [0034], i.e. multiple media objects comprising digital content such as animated graphics and audio may be packaged and presented in combination in a wide variety of forms).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method for displaying an animation of Carmel et al. to include the teachings of Berend et al., Crosby and Obrador wherein callback instructions are used to link the segment files thereby enabling individual frames, sub-sequences or sequences to be moved in time by breaking and replacing links on either side of the frame, sequence or sub-sequence (Berend et al.: column 18, lines 21-26) and further modifying Carmel et al. to include setting the size of the animation segment files to a predetermined maximum size wherein the file size is kept within the limit of what may be entirely read into memory thus eliminating undesirable pauses by reducing file access time and further ensuring that the animation files fit within the available memory space when memory space is limited (Crosby: column 8, lines 34-43) and to further include providing pointers for indexing and linking media

objects such as text, audio, graphics, and animated graphics in a wide variety of different forms (Obrador: page 2, paragraph [0024]).

Referring to claim 25, the rationale for claim 24 is incorporated herein, Carmel et al., as modified above, teaches the method for sequencing according to claim 24, wherein the first media object is a sound file (Carmel et al.: columns 5-6, lines 60-8; Obrador: page 2, paragraph [0024]; page 4, paragraph [0034]).

Referring to claim 28, the rationale for claim 24 is incorporated herein, Carmel et al., as modified above, teaches the method for sequencing according to claim 24, further including a third one of the media objects, but does not specifically teach the third media object having an action instruction indicative of a duration to present the third media object.

Berend et al. teaches a third media object having an action instruction indicative of duration to present the third media object (Figs. 12, 13a-e, 17, 18 and 20-24; column 16, lines 16-30; column 17, lines 5-29; column 30, lines 37-55, i.e. each sequence is comprised of 1-n timelines and each timeline describes the sequential set of frames, both key frames and interpolation frames, the length and the first and last frames addresses of the composite sequence is understood to indicate the duration).

The rationale for combining Carmel et al. with the teachings of Berend et al., Crosby and Obrador as found in the motivation statement of claim 24 is incorporated herein.

Referring to claim 29, the rationale for claim 24 is incorporated herein, Carmel et al., as modified above, teaches the method for sequencing according to claim 24, but

does not specifically teach wherein the first media object has an action instruction for loading and presenting a third one of the media objects, the third media object being enabled for presentation concurrently with a first media object.

Obrador teaches wherein the first media object has an action instruction for loading and presenting a third one of the media objects, the third media object enabled for presentation concurrently with a first media object (page 2, paragraph [0024]; pages 2-3, paragraph [0027]; page 3, paragraph [0032]; page 4, paragraph [0034], i.e. media objects comprising digital content such as animated graphics and audio may be packaged and presented in combination in a wide variety of forms including wherein a sound object/audio file plays while a first animation object/sequence, understood to be the second media object, and then a second animation object/sequence, understood to be the third media object, are displayed).

The rationale for combining Carmel et al. with the teachings of Berend et al., Crosby and Obrador as found in the motivation statement of claim 24 is incorporated herein.

Referring to claim 30, the rationale for claim 29 is incorporated herein, Carmel et al., as modified by Berend et al. above, teaches the method for sequencing according to claim 29, but does not specifically teach wherein the third media object enable for presentation after the second media object.

Obrador teaches wherein the third media object is enabled for presentation after the second media object (page 2, paragraph [0024], i.e. multiple media objects

comprising digital content such as animated graphics and audio may be packaged and presented in combination in a wide variety of forms).

The rationale for combining Carmel et al. with the teachings of Berend et al., Crosby and Obrador as found in the motivation statement of claim 24 is incorporated herein.

Response to Arguments

Applicant's arguments filed 6/17/2008 have been fully considered but they are not persuasive.

Applicant argues, with respect to claim 1, that Crosby teaches away from Applicant’s amended claim because Crosby cannot know the size of the available memory without inquiring as the availability of the memory.

Examiner respectfully submits that Crosby teaches wherein an animation file size is kept within the limit of what may be entirely read into main memory such that pauses and jerks caused by file access during animation display is reduced, see column 8, lines 33-46, and thus it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Carmel to include setting the animation file size to be kept within the limit of what may be entirely read into main memory thereby reducing file access time and reducing pauses and jerks in the animated display. Examiner further submits that Applicant does not claim wherein the predetermined maximum memory size is predetermined without inquiry but actually teaches inquiring as to the availability of the memory size, see dependent claim 6 and page 10, lines 15-

20 of the specification as originally filed (i.e. paragraph [0023] of the published application). In other words, in order to set the size of the segments up to a maximum size corresponding to a maximum amount of memory usable to load images one would need to predetermine the amount of memory available since that would be the usable amount.

Applicant then argues, with regards to claim 17, that Applicant has distinguished between the operations of the batch processor and the animation engine and that this distinction between the operations performed by the batch processor and the animation engine are not taught by either Carmel, Berend, Crosby, or the combination thereof.

It is noted that Applicant teaches wherein the batch processor and animation engines are functions, shown as separate blocks on figure 1(elements 14 and 18), that may be performed on a single processor, see page 8, lines 4-6.

Examiner respectfully submits that Crosby teaches performing the batch processing functions of segmenting the animation files (see figure 2 and column 8, lines 13-16, 22-23 and 33-43) and the animation engine functions of retrieving the animation segment files, loading the files into memory and displaying the animation (see figure 5 and column 9, lines 31-42) thus teaching the batch processor functions and animation engine functions as distinct functions.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ROBERTA PRENDERGAST whose telephone number is (571)272-7647. The examiner can normally be reached on M-F 6:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ulka Chauhan can be reached on (571) 272-7782. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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